

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7599
Loveland, Colorado 80537-0599



ATTORNEY DOCKET NO. 10003881-1

AP/IZW
2/21/3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Christopher K. Sutton

Serial No.: 09/991,020

Examiner: Emerson C. Puentes

Filing Date: November 15, 2001

Group Art Unit: 2113

Title: Electronic Test Program with Selectable Specifications

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, 24 November 2004, rejecting the following claims 1-24

The fee for this Notice of Appeal (37 CFR 1.17(b)) is \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

- | | | |
|--------------------------|--------------|-----------|
| <input type="checkbox"/> | one month | \$ 120.00 |
| <input type="checkbox"/> | two months | \$ 450.00 |
| <input type="checkbox"/> | three months | \$1020.00 |
| <input type="checkbox"/> | four months | \$1590.00 |

☐ The extension fee has already been filled in this application.

☒ (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 50-1078 the sum of \$500.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

☒ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: 24 February 2005 OR

☐ I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile:

Typed Name: Morley C. Tobey, Jr.

Signature: Morley C. Tobey, Jr.

Respectfully submitted,

Christopher K. Sutton

By

Morley C. Tobey, Jr.
Morley C. Tobey, Jr.
Attorney/Agent for Applicant(s)

Reg. No. 43,955

Date: 24 February 2005

Telephone No. (970) 669-1266

03/03/2005 AWONDAF1 00000054 501078 09991020

01 FC:1401 500.00 DA